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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NGUYEN, MAIKHANH

ART UNIT

PAPER NUMBER

2176

NOTIFICATION DATE DELIVERY MODE

07/29/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 09/316,897	Applicant(s) RAMAKRISHNA, ANAND	
	Examiner Maikhanh Nguyen	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on 10 June 2008.

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) 1-8, 10-25, 27-39 and 41-47 is/are pending in the application.

 4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) 1-8, 10-25, 27-39, and 41-47 is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☐ All b) ☐ Some * c) ☐ None of:

1. ☐ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. _____.

3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
 Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to RCE filed 06/10/2008.

Claims 1-8, 10-25, 27-39, and 41-47 are presented for examination. Claims 1, 17, and 30 are independent claims.

Request Continuation for Examination

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed 06/10/2008 has been entered.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-8, 10-25, and 27-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to independent Claims 1 and 17:

The phrase “*may be*” (Claim 1, line 5; and Claim 17, line 9) renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d). The resulting claim does not clearly set forth the metes and bounds of the patent protection desired. The use of similar exemplary language “*for example*” or “*such as*” was found to be indefinite in the following cases: Ex parte Hall, 83 USPQ 38 (Bd. App. 1949); Ex parte Hasche, 86 USPQ 481 (Bd. App. 1949); Ex parte Steigerwald, 131 USPQ 74 (Bd. App. 1961).

Dependent claims 2-8, 10-16, 18-25, and 27-29 are rejected for fully incorporating the deficiencies of their base claims.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- a. Claims 1-7, 10-19, 21-25, 27, 29-39, and 41- 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Microsoft Corporation**, “*Dynamic HTML: The Next Generation of User Interface Design Using HTML*” in view of **Massy**, “*Time Off for Good Behavior: DHTML Behaviors in Internet Explorer 5*,” April 1999, pp. 1-7.

As to claim 17:

Microsoft teaches a computer-implemented method of providing dynamic effects to an HTML document (*Dynamic HTML adds richer, more engaging user interfaces to the HTML presentation language; See page 1*), comprising the steps of:

- encapsulating code in an external component that affects a behavior of one or more elements contained in the document while being external to the document, including elements of different documents (*The object*

model provided by Dynamic HTML give Web developers the ability to dynamic update the content, style and structure of the Web-based content, while providing them with detailed control over the appearance, interactivity and multimedia elements; see Introduction to Dynamic HTML section; page 1 / Dynamic HTML extends HTML with an object model allowing scripts or programs to change styles and attributes of page elements ... to replace existing elements with new ones ... extensibility needed for creating business applications; See 1st ¶, page 2);

- *inserting an element into the document (dynamic change the style and attributes of elements, as well as insert, delete or modify elements ... reformatting the document; see Appendix section, See page 4);*
- *attaching a reference in the document to associate the element with an instance of the external component, such that another instance of the element may be referenced by a different document wherein the reference associating the element with the external component is maintained in a cascading style sheet (In HTML, styles and specified as element attributes or via Cascading Style Sheets. The object model exposed by Dynamic HTML exposes every HTML element in the document, including its attributes and CSS properties; See 1st ¶, page 5); and*

- providing the document to a render, wherein the render is capable of instantiating the external component, associating an interface of the instance of the external component with the element, and displayed the rendered document (*Dynamic HTML ... integrated directly into browser's page display; See 3rd ¶, page 2*).

Microsoft, however, does not specifically teach "wherein code for determining a behavior of the one or more elements contained in the document is not included in the document."

Massy teaches code for determining a behavior of the one or more elements contained in the document is not included in the document (*the engineer adds any dynamic functionality using script. By using CSS and DHTML behaviors, the design and engineer aspects of the document can be separated from the content, allowing the specialists in each discipline to concentrate on their particular area without worrying about conflict. DHTML behaviors use CSS to separate the script from the content and the style of a document*) [See page 1 through page 7].

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Massy with Microsoft because it would have brought the benefits of reuse to the world of DHTML.

As to claim 18:

Microsoft teaches providing the external component to the renderer (*See Introduction to Dynamic HTML section; page 1*).

As to claim 19:

Microsoft teaches rendering a page image from the document (*place elements such as images ... on the page; see Positioning section; page 5*, accessing the external component (*an object model can be accessed ... within a page; see Appendix section, page 4*), and modifying a representation of the element based on the code in the external component (*dynamically change the style and attributes of elements, as well as insert, delete or modify elements and their text even after a page has been reloaded. Dynamic HTML automatically updates the display of the page to reflect these changes, including reformatting the document as necessary ... to dynamically change the style and content of a page at any time, even after it has been loaded ... to renderer a page only if sections of that page change, including reformatting text paragraph as needed; See pp. 4 and 5*).

As to claim 21:

Microsoft teaches the changing the appearance thereof (*change the size, color or other font properties of elements ... by enlarging the font and change its color when the user move the mouse over the title; See page 5*).

As to claim 22:

Microsoft teaches the changing the location thereof (*placing objects in different z-planes... manipulating object coordinates; See Positioning section; page 5*).

As to claim 23:

Microsoft teaches rendering a page image from the document, accessing the external component, and drawing information in the image based on the code in the external component (*a script can scan the elements of a page and, using dynamic content, insert a table of contents...dynamic HTML includes animation and multimedia controls that can be used to apply visual effects to elements on a page...dynamic HTML incorporates several features to integrate data with native HTML elements; See pages 5-6*).

As to claim 24:

Microsoft teaches rendering a page image from the document is interleaved with drawing information in the image (*dynamic HTML includes animation and multimedia controls that can be used to apply visual effects to elements on a page...dynamic HTML incorporates several features to integrate data with native HTML elements; See page 6*).

As to claim 25:

Microsoft teaches receiving an event indicative of user interaction with the image
*(Dynamic form ... can response to user input... when users conduct a typical
Internet search ... obtaining additional information requires clicking... the Web
page, See page 2).*

As to claim 27:

Microsoft teaches the information associating the element with the external
component is maintained in a custom tag *(dynamic behavior to their pages 'such
as writing custom embedded objects in Java, Visual Basic' ... objects now can be
done with scripts; See 2nd - 3rd ¶, page 2).*

As to claim 29:

Microsoft teaches the reference associating the element with the external
component is maintained inline with the element in the document *(the object
model exposed by Dynamic HTML exposes every HTML element in the
document, including its attributes and CSS properties ... dynamic read and
change the values of these attributes and CSS properties; see 1st ¶, See page 5).*

As to claim 1:

The rejection of claim 17 above is incorporated herein in full. Additionally, Microsoft
teaches:

- rendering a page image corresponding to at least part of the document, the page image including a representation of the element (*the HTML presentation language ... providing them with detailed control over the appearance, interactivity and multimedia elements; see Introduction to Dynamic HTML section; See page 1*); and
- accessing the external component for determining a behavior of the representation of the element rendered on the page image (*dynamic change the style and attributes of elements ... updates the display of the page reflect these changes ... other are exposed via an object that can be accessed ... Javascript object model ... the choice of scripting languages; see Appendix section, See page 4*).

As to claim 2:

Microsoft teaches receiving an event, and wherein accessing the external component is performed in response to the event (*Dynamic HTML changes that by making it possible to create more interactive document that responds instantly to user action; see Interactive documents section, See page 2*).

As to claims 3-5:

Refer to the discussions of claims 21-23 above, respectively, for rejections.

As to claim 6:

Microsoft teaches the external component comprises an object, and wherein accessing the external component includes instantiating an instance of the object *(dynamic behavior to their pages 'such as writing custom embedded objects in Java, Visual Basic' ... objects now can be done with scripts; See 2nd - 3rd ¶, page 2).*

As to claim 7:

Microsoft teaches receiving a new document having another element thereon, the new document including information associating the other element with the external component, rendering a new page image corresponding to at least part of the document, the new page image including a representation of the other element, and accessing the external component for determining a behavior of the representation of the other element rendered on the page image *[dynamic HTML extends HTML...replace existing elements (or objects) with new ones... adds the interactivity...adding dynamic behavior...adding making it compatible with current browsers and existing HTML pages; See page 2].*

As to claims 10-12:

Refer to the discussions of claims 27-29 above, respectively, for rejections.

As to claim 13:

Microsoft teaches the document includes another element having a representation thereof rendered in the page image, the document includes other information associating the other element with the external component and further comprising, accessing the external component for determining a behavior of the representation of the other element *[dynamic HTML extends HTML...change styles and attributes of page elements (or objects)...replace existing elements (or objects) with new ones... adds the interactivity...adding dynamic behavior...adding making it compatible with current browsers and existing HTML pages; See page 2]*.

As to claim 14:

Microsoft teaches the document includes information associating the element with a second external component, and further comprising, accessing the second external component for determining a second behavior of the representation of the element *[e.g., dynamic HTML extends HTML...change styles and attributes of page elements (or objects)...replace existing elements (or objects) with new ones... adds the interactivity...adding dynamic behavior...adding making it compatible with current browsers and existing HTML pages; See page 2]*.

As to claim 15:

The combination of Microsoft and teaches Massy resolving a conflict between the behavior determined by the external component and the second behavior determined by the second external component based on the order in which the behaviors were applied to the element with each subsequent behavior taking precedence over a previous behavior *[See Massy; page 1 through page 7: allowing the specialists in each discipline to concentrate on their particular area without worrying about conflict. DHTML behaviors use CSS to separate the script from the content and the style of a document).*

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Massy with Microsoft because it would have brought the benefits of reuse to the world of DHTML.

As to claim 16:

The combination of Microsoft and teaches Massy downloading the external component *[See Massy; page 6: the behavior component ... has been downloaded].*

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Massy with Microsoft because it would have brought the benefits of reuse to the world of DHTML.

As to claim 30:

The rejection of claim 17 above is incorporated herein in full. Additionally, Microsoft teaches modifying the behavior of elements, including elements of different documents (*HTML content can modify itself on the fly in response to user actions, dynamic altering the appearance or content of the Web page; see More snap section; See page 3*).

As to claim 31:

Refer to the discussion of claim 25 above for rejection.

As to claim 32:

Microsoft teaches the renderer displays a representation of the element and modifies a behavior of the element by accessing the external component (*renderer a page only if sections of that page change, including reformatting text paragraphs as needed ... Dynamic HTML adjusts the other related items, including renumbering them where appropriate; See 2nd full ¶, page 5*).

As to claims 33-35:

Refer to the discussions of claims 21-23 above, respectively, for rejections.

As to claim 36:

Microsoft teaches the renderer calls the external component a plurality of times to draw information on the page image, and the renderer draws information on the page image between at least some of calls to the external component (*a script can scan the elements of a page and, using dynamic content, insert a table of contents...dynamic HTML includes animation and multimedia controls that can be used to apply visual effects to elements on a page...dynamic HTML incorporates several features to integrate data with native HTML elements; See pages 5 and 6*).

As to claim 37:

Refer to the discussion of claim 6 above for rejection.

As to claim 38:

Microsoft teaches the external component comprises an object, and wherein the rendered communicates with the object (*The object model provided by Dynamic HTML give Web developers the ability to dynamic update the content, style and structure of the Web-based content, while providing them with detailed control over the appearance, interactivity and multimedia elements; see Introduction to Dynamic HTML section; See page 1*).

As to claim 39:

Microsoft teaches the render receives a new document having another element thereon that references the external component (*Dynamic HTML extends HTML with an object model allowing scripts or programs to change styles and attributes of page elements ... to replace existing elements with new ones ... extensibility needed for creating business applications; see 1st ¶, page 2*).

As to claim 41:

Microsoft teaches the cascading style sheet is embedded in the document (*Dynamic HTML extends ... Cascading Style Sheet; See page 2*).

As to claim 42:

Microsoft teaches the cascading style sheet is linked to the document (*Dynamic HTML extends ... Cascading Style Sheet; See page 2*).

As to claims 43-46:

Refer to the discussions of claims 27 and 12-14 above, respectively, for rejections.

As to claim 47:

Microsoft teaches the renderer accesses the external component to control the format of data input by a user (*the object model exposed by Dynamic HTML exposes every HTML element in the document ...hide an element ... text of a*

bullet could be hidden until the user moves the mouse over the bullet; See page 5).

- b. Claims 8, 20, and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Microsoft** in view of **Massy** as applied to claims 1, 17, and 30 above, and further in view of **Wang** et al., "*Customization of Distributed Systems Using COM*", July - Sept. 1998, Vol.6, pp.8-12.

As to claim 8:

Microsoft teaches accessing the external component for determining a behavior of the presentation of other element includes accessing another instance of the object (*See pp. 4 and 5*). However, the combination of Microsoft and Massy does not specifically teach the use of COM object.

Wang teaches the use of COM object (*COM; See page 1*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Wang with Microsoft as modified by Massy because it would have provided the capability for extending the benefits of object-oriented programming, such as encapsulation, polymorphism, and software reuse to a dynamic and cross-processing setting.

As to claim 20:

Wang teaches the external component is a COM object, and wherein accessing the external component includes call an interface of the COM object (*See pp. 1-2*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Wang with Microsoft as modified by Massy because it would have provided the capability for extending the benefits of object-oriented programming, such as encapsulation, polymorphism, and software reuse to a dynamic and cross-processing setting.

As to claim 28:

Wang teaches the information associating the element with the external component is maintained in a class identifier (*see pp. 1-2*).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Wang with Microsoft as modified by Massy because it would have provided the capability for extending the benefits of object-oriented programming, such as encapsulation, polymorphism, and software reuse to a dynamic and cross-processing setting.

Response to Arguments

5. Applicants' arguments filed 06/10/2008 have been fully considered but they are not persuasive.

Applicant argues in substance that Microsoft does not teach *wherein code for determining a behavior of the representation of the elements is not included in the document* [Remarks, page 11].

In response, the newly cited art (Massy) is used to teach "*wherein code for determining a behavior of the representation of the elements is not included in the document*" (see the rejection above).

Conclusion

6. The prior art made of record, listed on PTO 892 provided to Applicant is considered to have relevancy to the claimed invention. Applicant should review each identified reference carefully before responding to this office action to properly advance the case in light of the prior art.

Contact information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached at (571) 272-4137.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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